

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

EMMANUEL SANDERS,)	CASE NO. 4:13CV3167
)	
Plaintiff,)	
)	
v.)	MEMORANDUM
)	AND ORDER
RICHARD LUTTER, et al.,)	
)	
Defendants.)	

This matter is before the court on its own motion. On September 20, 2013, Plaintiff filed a Complaint (filing no. [1](#)) along with an unsigned Motion for Leave to Proceed in forma pauperis (“IFP”) (filing no. [2](#)). [Federal Rule of Civil Procedure 11](#) states that “[e]very pleading . . . must be signed by at least one attorney of record . . . or by a party personally if the party is unrepresented.” [Fed. R. Civ. P. 11\(a\)](#). Further, “[t]he court must strike an unsigned paper unless the omission is promptly corrected after being called to the attorney’s or party’s attention.” [Id.](#)

To assure further consideration of the Complaint, Plaintiff must file a signed IFP motion or pay the \$350.00 filing fee. **FAILURE TO CORRECT THE DEFECT MAY RESULT IN DISMISSAL OF THE COMPLAINT.**

IT IS THEREFORE ORDERED that:

1. Plaintiff is directed to correct the above-listed technical defect, or pay the \$350.00 filing fee, on or before **November 1, 2013**;
2. Failure to comply with this Memorandum and Order will result in dismissal of this matter without further notice; and

3. The Clerk of the court is directed to set a pro se case management deadline in this matter with the following text: **November 1, 2013**: deadline for payment or filing of signed IFP application.

DATED this 3rd day of October, 2013.

BY THE COURT:

s/Laurie Smith Camp
Chief United States District Judge

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